

REMARKS

I. Status of Claims

By this amendment, claims 1 and 4-14 have been canceled without prejudice or disclaimer. Claims 2 and 3 were previously canceled. New claims 15 and 16 have been added. Support for new claims 15 and 16 can be found in the application as filed, for example at paragraphs [0047] – [0049]. Accordingly, no issue of new matter is raised.

II. Claim Objection

In the August 3, 2010, final Office Action, the Office objected to claim 10. However, as claim 10 has been canceled, the objection has been rendered moot. Applicants respectfully request withdrawal of the objection.

III. Rejection Under 35 USC § 103

Claims 1 and 4-14 stand rejected in the August 3, 2010, final Office Action under 35 USC §103(a) as allegedly obvious over the LEMMO in view of BIZID. Office Action, page 3. As claims 1 and 4-14 have been canceled, the rejection has been rendered moot.

Furthermore, with regard to newly presented claims 15 and 16, neither LEMMO nor BIZID, nor the combination thereof, renders obvious a method of providing a first PDF trace of a sample of a substance whose solid form is substantially amorphous or disordered, providing a second PDF trace of a sample of the crystalline form of the substance, and comparing the first and second PDF traces in order to determine

whether the substance which is substantially amorphous or disordered contains residual crystallinity.

Accordingly, Applicants respectfully request that the rejection be withdrawn, and a Notice of Allowance be issued for pending claims 15 and 16.

If there is any fee due in connection with the filing of this Amendment, please charge the fee to our Deposit Account No. 50-4126.

Respectfully submitted,

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